

FILED

## UNITED STATES DISTRICT COURT

for the

2020 FEB 21 AM 11:27

Western District of Texas

CLERK'S OFFICE, U.S. COURT  
WESTERN DISTRICT OF TEXAS  
BY *82*  
RECORD CLERK

United States of America

v.

MENDEZ, Monica Elena

) Case No.  
)  
)  
)  
)

EP20MJ1239-15

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 20, 2020 in the county of El Paso in the

Judicial District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

21 U.S.C. § 841 (a) (1)

Knowingly Possessed with the Intent to Distribute  
approximately 28.70 kilograms of crystal methamphetamine and 1.04 of black  
tar heroin

This criminal complaint is based on these facts:

See attached Affidavit, which is marked Attachment "A", and which is incorporated by reference as if fully set out herein.

 Continued on the attached sheet.*Jorge Molina*

Complainant's signature

Jorge Molina, Task Force Officer

Printed name and title

*JM*

Judge's signature

Date: 02/21/2020

City and state: El Paso, TX

Leon Schydlower, U.S. Magistrate Judge

Printed name and title

Oath Telephonically Sworn  
At 11:15 PM  
Fed.R.Crim.P. 4.1(b)(2)(A)

***United States of America***  
***V.***  
***Monica Elena Mendez***

**Attachment A**

On February 20, 2020, DEA Task Force Officer's (TFO) from Task Force 1 (TF1) were summoned to the Ysleta Port of Entry, located at 797 S. Zaragoza Rd., El Paso, Texas, at the request of United States Customs and Border Protection Officers (CBP). DEA Task Force Officers Luis Rodriguez and Pedro Palacios responded to the Ysleta POE and met with CBP Officer Rene A. Araujo.

CBP Officer Araujo stated that at about 8:39pm, Monica Elena MENDEZ (herein referred to as MENDEZ) attempted to enter the United States from Mexico the Ysleta POE, vehicle lane #9. MENDEZ was operating a 2007, blue, Dodge 1500 pickup bearing Texas license plate #MSL-5449. MENDEZ was the driver and sole occupant of the vehicle. Upon meeting with MENDEZ, CBP Officer Araujo began interviewing MENDEZ regarding her trip into Mexico. CBP Officer Araujo asked MENDEZ where she was coming from in Mexico and the reason she (MENDEZ) had traveled there. MENDEZ replied she had traveled to Juarez to visit family that had arrived from Ascension, Mexico. CBP Officer Araujo then asked MENDEZ if the vehicle she was driving belonged to her and where she was going. MENDEZ replied the vehicle was hers and she was returning home. During the course of questioning MENDEZ, CBP Officer Araujo observed that MENDEZ was overly polite and friendly when she responded to his questions. MENDEZ also made CBP Officer Araujo aware that she was bringing back some oranges from Mexico. CBP Officer Araujo found this declaration unusual and believed it to be a distraction tactic in order to avoid inspection. CBP Officer Araujo conducted a

crossing history of the vehicle MENDEZ was operating and found the vehicle had several Border Patrol Alamogordo check point crossings.

CBP Officer Araujo continued with a U.S. Customs declaration, and asked MENDEZ if she was bring any fruits, meats, plants, liquor or weapons? MENDEZ advised CBP Officer Araujo she had nothing to declare. CBP Officer Araujo asked MENDEZ if she was responsible for everything in the vehicle, to which MENDEZ replied "yes". MENDEZ was then referred to the secondary inspection area.

In the secondary inspection area MENDEZ met with CBP Officer Gerardo Aguirre Jr. CBP Officer Aguirre also questioned MENDEZ about her trip into Mexico. MENDEZ advised CBP Officer Aguirre that she had been in Juarez visiting family that was from Acension, Mexico since 10 am. CBP Officer Aguirre then asked MENDEZ what she did for a living. MENDEZ responded she was a care provider for the elderly. MENDEZ was then asked by CBP Officer Aguirre if she was the owner of the vehicle, if the vehicle was registered to her and how long she had owned the vehicle. MENDEZ stated the vehicle was hers and was registered to her. MENDEZ also stated she had bought the vehicle from an unspecified friend. During his interview of MENDEZ, CBP Officer Aguirre observed that MENDEZ was very friendly, shaking when she spoke and spoke with a trembling voice. CBP Officer Aguirre also observed that MENDEZ's carotid artery was pulsating abnormally when she answered any of Officer Aguirre's questions. CBP Officer Aguirre also asked MENDEZ if anyone had asked her for a favor, offered her a job or threatened to her to bring something across from Mexico. MENDEZ replied that no one had done any of the above mentioned acts. CBP Officer Aguirre then instructed MENDEZ to drive her vehicle through the Z-Portal X-Ray machine. CBP Officer C. Aragon advised Officer Aguirre that there were anomalies in the gas tank of MENDEZ's vehicle. Officer Aguirre summoned the assistance of CBP

Officer B. Canales and K-9 ARD (141509), K-9 ARD alerted to the odor of narcotics along the gas tank area. Using a Fiber Optic Scope, Officer Aguirre confirmed that there were vacuum sealed packages in the gas tank. A total of 49 bundles were removed from the gas tank of MENDEZ's vehicle. Officer Aguirre advised 48 of the bundles tested positive for the properties of Methamphetamine and were found to have a weight of 58.85 lbs. or 26.70 kgs. Officer Aguirre also stated that one bundle test positive for the property of black tar heroin and was found to have a weight of 2.30 lbs. or 1.04 kgs.

Upon arriving at the Ysleta POE TFO Rodriguez and TFO Palacios attempted to interview MENDEZ. MENDEZ stated she did not wish to speak to the agents. MENDEZ was not questioned further and transported to the DEA, El Paso Division for processing. The narcotics were also transported, stored and secured and the El Paso Division's evidence section. Upon completing the processing of MENDEZ, TFO Rodriguez and TFO Palacios transported MENDEZ to the El Paso County Detention Facility.

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Task Force Officer  
Jorge Molina, DEA

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Leon Schydlower  
U.S. Magistrate Judge